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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,152	05/08/2002	Marian Trinkel	2345/171	8320
26646	7590	01/10/2006		EXAMINER
KENYON & KENYON LLP				FOX, JAMAL A
ONE BROADWAY				
NEW YORK, NY 10004			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/018,152	TRINKEL ET AL.	
	Examiner Jamal A. Fox	Art Unit 2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 08 May 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 7-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 May 2002 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. 10/018,152.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/14/2001</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 7-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Cave (U.S. Patent No. 6,175,562).

Referring to claim 7, Cave discloses a circuit arrangement (Fig. 2 and respective portions of the spec.) to provide a desktop functionality for a telecommunications terminal used in computer-aided telecommunications, comprising:

an intelligent telecommunications system having a connection to a public telephone network (Fig. 2 ref. sign 102 and respective portions of the spec.) and being linked via an integration element (Fig. 2 ref. sign 100 and respective portions of the

spec.), wherein the intelligent telecommunications system includes a computer system (Fig. 2 ref. sign MMPC₁, MMPC₂ and MMPC_n), a software layer (Fig. 2 ref. sign 201 and 202), and a connection element (Fig. 2 ref. sign 108 and respective portions of the spec.), the intelligent telecommunications systems being connected to a local area network (Fig. 2 ref. sign 220 and respective portions of the spec.), an electronic data processing system (Fig. 2 ref. sign 105 and respective portions of the spec.) being connected to the local area network,

wherein the local area network is connected to a web server (Fig. 2 ref. sign 120 and respective portions of the spec.) and wherein any access via at least one of a system-bound telephone (telephone, col. 3 lines 30-35) and internet telephone (telephone, col. 3 lines 30-35) is provided with desktop control and status-display functions and call-related data in a dynamic interface of a web browser (Fig. 2 ref. sign browser and respective portions of the spec.), any functional scope of the desktop control and status-display functions and the call-related data being provided and an application interface (graphical presentation, col. 7 lines 17-20) being defined by at least one web document (documents, col. 7 lines 11-15) stored on the web server (server 120, col. 7 lines 11-20).

Referring to claim 8, Cave discloses the circuit arrangement of claim 7 wherein the internet telephone (telephone, col. 3 lines 30-35) is assigned to the electronic data processing system.

Referring to claim 9, Cave discloses the circuit arrangement of claim 7 wherein the internet telephone (telephone, col. 3 lines 30-35) is assigned to the local area network.

Referring to claim 10, Cave discloses the circuit arrangement of claim 7 wherein to provide server-based control and status display and to make available call-related data at the local area network (Fig. 2 ref. sign 220 and respective portions of the spec.), a server (Fig. 2 ref. sign 120 and respective portions of the spec.) is connected via which the internet telephone connected to at least one of the local area network and the electronic data processing system is controlled, the server (Fig. 2 ref. sign 120 and respective portions of the spec.) connected being designed as an internet-telephone manager.

Referring to claim 11, Cave discloses the circuit arrangement of claim 7 wherein for call processing, a gateway element (POTS/packet gateway, col. 3 lines 60-67) is connected via a trunk circuit to the local area network, the gateway element (POTS/packet gateway, col. 3 lines 60-67) being at least one of an integral component of the intelligent telecommunications system and linked via telephone lines (Fig. 2 ref. sign 11 and respective portions of the spec.) to the intelligent telecommunications system.

Referring to claim 12, Cave discloses the circuit arrangement of claim 7 wherein a connection element (Fig. 2 ref. sign 108 and respective portions of the spec.) is located at the local area network (Fig. 2 ref. sign 220 and respective portions of the

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spec.), the connection element allowing communication between a user and subscribers outside of the local area network via the internet.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 7-12 are rejected under 35 U.S.C. 102(b) as being anticipated by TSUBOI et al..(Development of Computer Telephony Integration System "CTSTAGE").

Referring to claim 7, TSUBOI et al. discloses a circuit arrangement (Fig. 1 and respective portions of the spec.) to provide a desktop functionality for a telecommunications terminal used in computer-aided telecommunications, comprising:

an intelligent telecommunications system having a connection to a public telephone network (Fig. 1 ref. sign PBX or public network) and being linked via an integration element, wherein the intelligent telecommunications system includes a computer system (see the computer system in Figure 1), a software layer (Figure 2, ref. sign software); and a connection element (Figure 1 ref. sign CTSTAGE and respective portions of the spec.), the intelligent telecommunications systems being connected to a local area network (Figure 1 ref. sign LAN), an electronic data processing system (Figure 2 ref. sign DB and respective portions of the spec.) being connected to the local area network,

wherein the local area network is connected to a web server (Figure 2, Internet Information Server and respective portions of the spec.) and wherein any access via at

least one of a system-bound telephone and internet telephone is provided with desktop control and status-display functions and call-related data in a dynamic interface of a web browser (Figure 2 ref. sign web browser and respective portions of the spec.), any functional scope of the desktop control and status-display functions and the call-related data being provided and an application interface (Figure 2 and respective portions of the spec.) being defined by at least one web document (Figure 5, CTSTAGE builder and respective portions of the spec.) stored on the web server (Figure 2 ref. sign server and respective portions of the spec.).

Referring to claim 8, TSUBOI et al. discloses the circuit arrangement of claim 7 wherein the internet telephone (see the telephone in Figure 1) is assigned to the electronic data processing system.

Referring to claim 9, Cave discloses the circuit arrangement of claim 7 wherein the internet telephone (see the telephone in Figure 1) is assigned to the local area network.

Referring to claim 10, TSUBOI et al. discloses the circuit arrangement of claim 7 wherein to provide server-based control and status display and to make available call-related data at the local area network, a server (Figure 2 ref. sign server and respective portions of the spec.) is connected via which the internet telephone (see the telephone in Figure 1) connected to at least one of the local area network and the electronic data processing system is controlled, the server connected being designed as an internet-telephone manager (Figure 2 ref. sign system management and respective portions of the spec.).

Referring to claim 11, TSUBOI et al. discloses the circuit arrangement of claim 7 wherein for call processing, a gateway element (inherent, you have to have a device to digitize the signal if necessary and compress it, then convert it into a packetized format) is connected via a trunk circuit (Figure 1, trunk line and respective portions of the spec.) to the local area network, the gateway element being at least one of an integral component of the intelligent telecommunications system and linked via telephone lines (see the lines from the telephone to the PBX or public network of Figure 1) to the intelligent telecommunications system.

Referring to claim 12, TSUBOI et al. discloses the circuit arrangement of claim 7 wherein a connection element (Figure 1 ref. sign CTSTAGE and respective portions of the spec.) is located at the local area network (Figure 1 ref. sign LAN), the connection element allowing communication between a user and subscribers outside of the local area network (Figure 1 ref. sign LAN) via the internet (WWW, Introduction, paragraph 3).

Conclusion

5. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-3143. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to 2600 Customer Service whose telephone number is (571) 272-2600.



Jamal A. Fox.



WELLINGTON CHIN
EXAMINER